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7 ASSEMBLERS, INC. and ASSEMBLERS FOOD PACKAGING LLC

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 AUTHENTIC ALASKA, LLC (dba) DEAR)
12 NORTH,)

13 Plaintiff,)

14 vs.)

15 ASSEMBLERS, INC., ASSEMBLERS FOOD)
16 PACKAGING LLC, and DOES 1-20,)

17 Defendants.)

CASE NO. 3:17-cv-05675-RS

**STIPULATION TO CONTINUE TRIAL
AND PRETRIAL CONFERENCE
DATES AND PRETRIAL SCHEDULE
~~[PROPOSED]~~ ORDER**

Complaint Filed: October 2, 2017

18 This Stipulation to continue the trial and pretrial conference dates, and to amend the
19 pretrial schedule in accordance with the new trial date, is submitted by all parties in this action,
20 through their respective counsel, including: Plaintiff Authentic Alaska, LLC (“Plaintiff”);
21 Defendants Assemblers, Inc. and Assemblers Food Packaging LLC (“Defendants”), and Third-
22 Party Defendant, Jensen’s Old Fashioned Smokehouse, Inc. (“Third-Party Defendant”). Pursuant
23 to this Stipulation, and for good cause shown, the parties jointly request the Court to continue the
24 trial and pretrial conference dates and pretrial deadlines.

25 **I. RECITALS**

26 On August 24, 2018, the parties engaged in mediation in an effort to attempt to resolve
27 this matter to avoid the expense of additional discovery after an initial exchange of documents.

The mediation took place approximately six weeks after Third-Party Defendant answered Defendant's Third-Party Complaint. The mediation was unsuccessful, and the parties are engaged in the next wave of discovery including depositions.

The current trial date is March 25, 2019, with a discovery cut-off date of December 1, 2018, for non-expert discovery, and disclosure of experts due on November 4, 2018, and discovery cut-off for completion of expert discovery on December 16, 2018. Non-expert and expert discovery likely will take place in multiple states (California, Illinois, Washington and Alaska). The parties and counsel will be unable to complete discovery within the above deadlines given Third-Party Defendant's recent entry into this matter, the mediation, and various scheduling conflicts.

This is the parties' first request for a trial continuance. The parties consulted with the court clerk who advised that July 8, 2019, was the Court's first date for the continued trial date available after the original trial date.

II. AGREEMENT

Therefore, in order to allow the parties to complete discovery and properly prepare for trial, the parties stipulate and agree to vacate the current trial and pretrial conference dates, and propose a new **trial date of July 8, 2019**, and a new **pretrial conference date of June 19, 2019**, with pretrial deadlines to be adjusted in accordance with the new trial date. The following table shows the existing dates and deadlines and the new proposed dates and deadlines.

Current Dates and Deadlines	Proposed New Dates and Deadlines
December 1, 2018: All non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert deposition per party; (b) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable number of requests for production of documents or for inspection per party; and (d) a reasonable number of requests for admission per party.	March 15, 2019

Current Dates and Deadlines	Proposed New Dates and Deadlines
November 4, 2018: Parties to designate expert witnesses in accordance with Federal Rule of Civil Procedure 26(a)(2).	February 14, 2019
December 16, 2018: All discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.	March 25, 2019
No later than January 24, 2019 , all dispositive and pretrial motion must be filed and served pursuant to Civil Local Rule 7. Each party is limited to one motion for summary judgment absent leave of Court.	May 9, 2019
March 6, 2019 at 10:00 a.m. – Final Pretrial Conference., in Courtroom 3, 17 th Floor, United States Courthouse, 450 Golden Gate Avenue San Francisco, California. Each party or local counsel who will trial the case shall attend personally.	June 19, 2019
March 25, 2019 , at 9:00 a.m. in Courtroom 3, 17 th Floor, United States Courthouse, 450 Golden Gate Avenue San Francisco, California	July 8, 2019

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Respectfully submitted,

Dated: October 31, 2018

KELLER AND HECKMAN, LLP

/s/ Christopher Van Gundy

By: _____

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Attorneys for Plaintiff
AUTHENTIC ALASKA, LLC (dba) DEAR NORTH

Dated: October 31, 2018

GORDON REES SCULLY MANSUKHANI, LLP

/s/ Joan C. Woodard

By: _____

Joan C. Woodard (SBN: 129710)
Attorneys for Defendants
ASSEMBLERS, INC. and ASSEMBLERS FOOD
PACKAGING LLC

Dated: October 31, 2018

LECLAIR RYAN, LLP

/s/ William A. Bogdan

By: _____

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JENSEN'S OLD FASHIONED SMOKEHOUSE, INC

ORDER

IT IS HEREBY ORDERED that the pretrial conference and trial dates of March 6, 2019, and March 25, 2019, respectively, are vacated, and that the new trial date in this matter is set for July 8, 2019, with a new pretrial conference date of June 19, 2019.

IT IS FURTHER ORDERED that the parties shall meet all proposed discovery and pretrial deadlines as set forth in the parties' stipulation.

Dated: 11/5/18



HON. RICHARD SEEBORG
United States District Court Judge